

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In the matter of :

BEST PAYPHONES, INC., :

Debtor :

**Case No. 01-B-15472 (SMB)  
Chapter 11**

BEST PAYPHONES, INC., :

**Docket No. 08-CV-2553 (GEL)**

Debtor-Appellant,  
-against-

VERIZON NEW YORK, INC., :

Claimant-Appellee. :

**NOTICE OF MOTION  
FOR RECONSIDERATION**

PLEASE TAKE NOTICE that upon the annexed Memorandum of GEORGE M. GILMER, ESQ., and upon all papers and proceedings heretofore had herein, the undersigned will move this Court pursuant to Local Rule 6.3, before the Hon. Gerard E. Lynch, Judge of the District Court at the District Courthouse, 500 Pearl Street New York, New York, Room 900, on the 18th day of July, 2008, at 10:00 o'clock in the forenoon thereof, or as soon thereafter as counsel can be heard, for an Order pursuant to Fed.R.Civ.P. 59 granting reconsideration of the Judgment, entered on June 5, 2008, that dismissed the above-entitled action, on the grounds that the Court overlooked controlling principles of law as well as material facts and granting such other and further relief as the Court deems necessary and proper in the circumstances.

PLEASE TAKE FURTHER NOTICE that pursuant to the Local Rules of the United States District Court for the Southern District of New York, any answering papers must be served on the undersigned not later than ten (10) business days after service of this motion is complete.

Dated: Brooklyn, New York,  
June 19, 2008

Yours, etc.,  
/s/ George M. Gilmer  
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